

SB

262



SENATOR JERRY WARD

ALASKA STATE LEGISLATURE

SPONSOR STATEMENT FOR SB 262

“An Act relating to motor vehicle license plates for disabled persons.”

At this time a leased vehicle is considered owned by a commercial entity. The commercial entity is considered the legal owner. The handicap and/or disabled veterans plates are exempted from paying both the registration fees and taxes; therefore the free plates may not be used in conjunction with a commercially owned vehicle. SB 262 adds the words or leased and owned or leased to Section 1. AS 28.10.181(d) and to Section 2 AS 28.10.421 (d)(3). Adding this language will allow handicap and/or disabled veterans to place their license plates on a leased personal vehicle.

January-May: STATE CAPITOL • JUNEAU, AK • 99801-1182 • (907) 465-4940 • FAX (907) 465-3766
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KENAI: 145 MAIN STREET LOOP • KENAI, AK • 99611 • (907) 283-7996 • FAX (907) 283-3075

Chairman, Senate Transportation Committee • Chairman, Senate State Affairs Committee
Senator_Jerry_Ward@legis.state.ak.us

FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. SB 262

Revision Date/Time (Note if correction) _____ Dept. Affect Administration
 Title "An act relating to motor vehicle license plates BRU Division of Motor Vehicles
for disabled persons." Component Motor Vehicles
 Sponsor Senator Ward
 Requester (S) STA Component Serial No. 2348

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()	(173.8)	(173.8)	(173.8)	(173.8)	(173.8)	(173.8)
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY00) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS. (Attach a separate page if necessary)

See attached sheet.

Prepared by Charles R. Hosack Phone 269-5559
 Division Motor Vehicles Date/Time _____
 Approved by Commissioner Robert Poe, Jr. Alison M. Elger Date 2/22/00
 Agency Department of Administration

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FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

Bill No. SB 262

Analysis Continued

Registration fees are charged to the owner of the vehicle rather than the person using the vehicle. A person leasing a vehicle has no ownership rights in the vehicle and therefore DMV charges no fees to this person. The fees are charged to the commercial leasing company that owns the vehicle. In one respect since DMV charges no fees to the person leasing the vehicle, DMV cannot exempt them from fees that are not assessed and therefore the bill has no fiscal impact.

It appears that the sponsor's intent is to exempt commercial companies from paying registration fees if the vehicle is leased to a person with qualifying disabilities. If the bill were amended to accomplish this, there would be a revenue loss to the state. In 1999 there were 5539 vehicles registered by persons with disabilities and these vehicles were registered at no charge. Industry reports are that approximately 20% of new vehicles are leased. If this same percentage were applied to these vehicles then an additional 1100 vehicles could be exempt from the biennial registration of \$158. The revenue loss to the state would be \$173,800. This bill does not exempt the person from paying the municipal taxes that are collected by DMV at time of registration so there is no revenue loss to the municipalities.

STATE OF ALASKA

TONY KNOWLES,
GOVERNORRobert Poe
CommissionerDEPARTMENT OF ADMINISTRATION
Division of Motor Vehicles43335 Kalifornsky Beach Rd
Suite 10
Soldotna, AK 99669

(907)262-4681

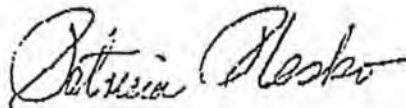
Ed Sipple
176 Farnsworth
Soldotna, AK 99669

Dear Mr. Sipple:

January 28, 2000

You have asked for a letter stating why we are unable to place your handicap plates upon your leased vehicle. A leased vehicle is owned by the commercial entity, which in your case is GMAC. You have entered into a contract with GMAC to use this vehicle for the duration agreed upon. They are the legal owners. The handicap plates are exempted from paying both the registration fees and any taxes; therefore the free plates may not be used in conjunction with a commercially owned vehicle. Registration fees are governed by Alaska Statute 28.10.421. You may find an interesting letter to the editor, in the Anchorage Daily News, dated July 11th, 1999 contributed by the director of the Division of Motor Vehicles, regarding the subject of leased vehicles and their fees.

I sincerely hope this information is helpful. You may call us if you have any questions. We do answer the phone from 8:30 am until 10:00 am. Monday through Friday.

Patricia Plesko,
Office Manager

1-LS1408VA
Ford
2/8/00

SENATE BILL NO.

**IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIRST LEGISLATURE - SECOND SESSION**

BY SENATOR WARD

**Introduced:
Referred:**

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to motor vehicle license plates for disabled persons."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1.** AS 28.10.181(d) is amended to read:

4 (d) Vehicles owned or leased by disabled veterans, including persons disabled
5 in the line of duty while serving in the Alaska Territorial Guard, or other persons with
6 disabilities. Upon the request of a person with a disability that limits or impairs the
7 ability to walk, as defined in 23 C.F.R. 1235.2, the department shall (1) register one
8 owned or leased passenger vehicle in the name of the person without charge; and (2)
9 issue a specially designed registration plate that displays (A) recognition of the
10 disabled veteran if the applicant's disability originated from the applicant's service with
11 the Alaska Territorial Guard or the armed forces of the United States; and (B) the
12 standard symbol of disability (the wheelchair logo). A disabled veteran who is not
13 otherwise qualified under this subsection, but who presents to the department written
14 proof that the person is at least 70 percent disabled or medically handicapped as a
15 consequence of service in the Alaska Territorial Guard or the armed forces of the

1 United States, may register one owned or leased passenger vehicle without charge,
 2 and the department shall issue a specially designed registration plate that displays
 3 recognition of the disabled veteran that does not display the standard handicap symbol
 4 and does not carry with it special parking privileges. For purposes of this subsection,
 5 proof of disability may be provided by a person licensed as a physician under
 6 AS 08.64 or as an advanced nurse practitioner under AS 08.68.

7 * Sec. 2. AS 28.10.421(d)(3) is amended to read:

8 (3) a vehicle owned or leased by a disabled veteran or other
 9 handicapped person [,] and registered under AS 28.10.181 or a vehicle owned by a
 10 resident 65 years of age or older who files a written application for an exemption on
 11 a form prescribed by the department none;

FAX COVER SHEET

Senator Jerry Ward

Alaska State Senate

907 465-4940

907 465-3766 Fax

TO: Bob Favaretto

ATTN:

FAX NUMBER: 283 - 6506

FROM: Senator Jerry Ward

DATE: February 9, 2000

RE: I called your office this morning. Would like your opinion about the enclosed proposed bill. Your comments would be greatly appreciated. I can be reached at 283-7996. Thank you.

of page(s) including cover 3

E-mail: Sentator_Jerry_Ward@legis.state.ak.us

WORK ORDER REQUEST FORM

W.O. [21] LS-1408

KEYWORDS: DISABLED ASSIGNED: Ford

LICENSING

MOTOR VEHICLES

REQUEST FOR: New Bill TAKEN BY: Ford

SUBJECT: License Plates for Disabled

REQUESTED FOR: SEN WARD BY: Loretta PHONE: 465-4940

DELIVER TO: Sen. Ward, Cap. 423

INSTRUCTIONS: Amend AS 28.10.181(d) to allow a disabled person who leases a vehicle to get plates.

OBTAIN	SPECIAL DRAFTING INSTRUCTIONS ATTACHED []
	AUTHORIZED TO CONFER WITH _____
	RETURN _____
	_____ TO REQUESTOR
	APPROVED: <input checked="" type="checkbox"/> DIRECTOR, LEGAL SERVICES

REVIEWED _____

IN 02/02/00 DUE _____

TYPED: Draft _____ Date _____

Final _____ Date _____

PROOFED _____ DELIVERED _____

SPECIAL INSTRUCTIONS to TYPING/PROOFING

Request for DRAFT